

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE: : Chapter 11
:
VTE PHILADELPHIA, LP : Bankruptcy Case No. 13-10058-alg
:
Debtor. :

**ORDER PROVISIONALLY DENYING MOTION OF
U.S. BANK NATIONAL ASSOCIATION FOR ENTRY OF ORDER
GRANTING RELIEF FROM THE AUTOMATIC STAY, OR IN THE
ALTERNATIVE, DISMISSING THE BANKRUPTCY CASE**

Upon the motion (the “Motion”) of U.S. Bank National Association (i) for entry of an order pursuant to sections 362(d)(1), 362(d)(2), and 362(d)(3) of Title 11 of the United States Code (the “Bankruptcy Code”), lifting or modifying the automatic stay arising from the petition for bankruptcy filed by VTE Philadelphia, LP (the “Debtor”), or in the alternative, (ii) dismissing the Debtor’s bankruptcy case under section 1112(b) of the Bankruptcy Code (Docket No. 18); it appearing that this Court has jurisdiction to consider the Motion pursuant to 28 U.S.C. §§ 157 and 1334; and it appearing that this matter is a core proceeding pursuant to 28 U.S.C. § 157(b); and this Court having found that proper and adequate notice of the Motion and the relief requested has been provided in accordance with the Bankruptcy Rules and the Local Rules, and that, no other or further notice is necessary; and after consideration of the legal and factual bases set forth in the Motion, the Debtor’s objection to the Motion (Docket No. 24), and at the hearing on March 19, 2013 at 10:00 a.m.; and after due deliberation thereon; and good and sufficient cause appearing therefor;

IT IS HEREBY ORDERED, ADJUDGED and DECREED that:

1. U.S. Bank’s Motion is provisionally DENIED, and U.S. Bank may renew the Motion, for the reasons stated on, and subject to, the record.
2. Upon any failure of the Debtor to timely pay all taxes on the Property, as and when due, and particularly if U.S. Bank decides to protect its position by paying the taxes, U.S.

Bank may renew its Motion by scheduling a hearing on the Motion at the Court's first available hearing date.

3. Upon any failure of the Debtor to file a plan of reorganization, which has a reasonable possibility of a successful reorganization within a reasonable time, by June 17, 2013, U.S. Bank may renew its Motion by scheduling a hearing on the Motion at the Court's first available hearing date.

4. The requirements set forth in Local Rule 9013-1(b) are satisfied.

5. This Order is immediately effective and enforceable.

6. This Court retains jurisdiction with respect to all matters arising from or related to the enforcement of this Order.

Dated: April 3, 2013

s/Allan L. Gropper
The Honorable Allan L. Gropper
United States Bankruptcy Judge